

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONTE BOOKER,

Defendant.

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CASE NO. 1:13-cr-00050-1

ORDER

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

On November 3, 2023, Defendant Donte Booker filed a pro se motion for compassionate release, pursuant to 18 U.S.C. § 3582(c)(2).¹ In his motion, Booker asks the Court to consider a sentence reduction considering recently amended Sentencing Guideline § 1B1.13, that gives a non-exhaustive list of circumstances that qualify as extraordinary and compelling reasons for compassionate release.²

On January 26, 2024, the government responded.³ The government's response argues that Defendant Booker was not eligible for a sentence reduction under 18 U.S.C. § 3582(c)(2), based on Amendment 821 to the Sentencing Guidelines.⁴ Defendant Booker replied.⁵

The Court now **ORDERS** the government to file a response to Defendant Booker's reply by March 6, 2024. In its response, the government is ordered to address Defendant Booker's motion for compassionate release, and whether the Defendant's medical

¹ Doc. 246, PageID #: 2051. Defendant Booker's counsel filed a notice of no intent to supplement Booker's pro se motion. See Doc. 250.

² *Id.* See also U.S. Sent'g Guidelines Manual § 1B1.13 (U.S. Sent'g Comm'n 2023).

³ Doc. 252.

⁴ U.S. Sent'g Guidelines Manual § 4A1.1(e) (U.S. Sent'g Comm'n 2023).

⁵ Doc. 253.

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conditions, rehabilitation efforts, and any change in legal precedent regarding career offenders are extraordinary and compelling reasons warranting a reduced sentence. The Court further orders the government to include summaries of Defendant Booker's prison classification history and rehabilitative efforts in its response.

IT IS SO ORDERED.

Dated: February 13, 2024

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE